

PATENT COOPERATION TREATY **PCT**

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70) 1 4 APR 2005

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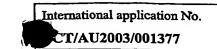
Applicant's or agent's file reference 021136PC/IDJ	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).						
International Application No.	International Filing Date (day/month/year)		Priority Date (day/month/year)					
PCT/AU2003/001377	16 October 2003		17 October 2002					
International Patent Classification (IPC) or national classification and IPC								
Int. Cl. 7 A61K 31/7016, A61P 31/04								
Applicant								
ALCHEMIA PTY LTD et al								
This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.								
2. This REPORT consists of a total of 3 sheets, including this cover sheet.								
This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been								
amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).								
These annexes consist of a total of sheet(s).								
3. This report contains indications relating to the following items:								
I X Basis of the report								
II Priority								
III Non-establishment of o	III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability							
IV Lack of unity of invent	 							
Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement								
VI Certain documents cited								
VII Certain defects in the in	VII Certain defects in the international application							
VIII Certain observations on the international application								
Date of submission of the demand		Date of completion	of the report					
8 January 2004		3 February 2004						
Name and mailing address of the IPEA/AU		Authorized Officer						
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. CT/AU2003/001377

I.		Basis of the r					
1.	With	th regard to the elements of the international application:*					
	X	the international application as originally filed.					
		the descripti	on, pages , as originally filed,				
			pages, filed with the demand,				
			pages, received on with the letter of				
		the claims,	pages , as originally filed,				
			pages , as amended (together with any statement) under Article 19,				
			pages , filed with the demand,				
			pages, received on with the letter of				
		the drawing	s, pages, as originally filed,				
			pages , filed with the demand,				
		•	pages, received on with the letter of				
		the sequence	e listing part of the description:				
			pages, as originally filed				
			pages , filed with the demand				
			pages, received on with the letter of				
2.	With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language which is: the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).						
			ge of publication of the international application (under Rule 48.3(b)).				
•			•				
		the languag and/or 55.3	ge of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 b).				
3.		ith regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:					
	<u> </u>	contained i	n the international application in written form.				
		filed togetl	ner with the international application in computer readable form.				
		furnished s	subsequently to this Authority in written form.				
		furnished s	subsequently to this Authority in computer readable form.				
		The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.					
		The staten been furni	nent that the information recorded in computer readable form is identical to the written sequence listing has shed				
4.		The amend	lments have resulted in the cancellation of:				
		ti	ne description, pages				
		[ti	ne claims, Nos.				
		ti	ne drawings, sheets/fig.				
5.		This repor	t has been established as if (some of) the amendments had not been made, since they have been considered to I the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**				
*	1	Replacement sl report as "orig	neets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this inally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).				
*	•	Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report					

INTERNATIONAL PRELIMINARY EXAMINATION REPORT



V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1.	1. Statement						
	Novelty (N)	Claims 1-24	YES				
		Claims -	NO				
	Inventive step (IS)	Claims 1-24	YES .				
		Claims -	NO .				
	Industrial applicability (IA)	Claims 1-24	YES				
		Claims -	NO				

2. Citations and explanations (Rule 70.7)

Novelty (N) and Inventive Step (IS): Claims 1-24

D1 WO 1999/026956 A1 (INTERCARDIA INC) 3 June 1999

D2 WO 1998/053813 A1 (INTERCARDIA INC) 3 December 1998

D3 WO 2000/064915 A1 (IRL INC) 2 November 2000

D1 discloses moenomycin analogues and their use in the inhibition of bacterial growth. These compounds comprise two pyranose rings bridged by an oxo group, where the cyclic oxygen atoms are located ortho and meta to this bridging group.

D2 discloses a formula which includes within its scope two pyranose linked rings, however no information is given regarding the geometry of the cyclic oxygen atoms about the bond.

D3 discloses antibacterial disaccharides related to moenomycin that retain the ortho and meta relationship of the cyclic pyranose oxygen atoms to the bridging oxo group.

D1 and D3 are regarded as the closest prior art. These documents disclose the preparation of a range of antibacterial compounds structurally related to the known antibacterial agent moenomycin, which retain the ortho/meta geometry about the pyranose rings.

None of the citations discloses or fairly suggests a disaccharide wherein the two pyranose rings are bridged by an oxo group such that the cyclic oxygen atoms are located ortho and para to the bridging oxo group. Claims 1-24 are therefore novel and have an inventive step.

Industrial Applicability (IA): Claims 1-24

Claims 1-24 are industrially applicable.